

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

1323 RF 93



DUE
DATE

MAR 16 1993

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ACTION

DIST.	LTR	ENC
BENEDETTI, R.L.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BENJAMIN, A.	<input type="checkbox"/>	<input type="checkbox"/>
BERMAN, H.S.	<input type="checkbox"/>	<input type="checkbox"/>
CARNIVAL, G.J.	<input type="checkbox"/>	<input type="checkbox"/>
CORDOVA, R.C.	<input type="checkbox"/>	<input type="checkbox"/>
CROUCHER, D.W.	<input type="checkbox"/>	<input type="checkbox"/>
DAVIS, J.G.	<input type="checkbox"/>	<input type="checkbox"/>
FERRERA, D.W.	<input type="checkbox"/>	<input type="checkbox"/>
HANNI, B.J.	<input type="checkbox"/>	<input type="checkbox"/>
HEALY, T.J.	<input type="checkbox"/>	<input type="checkbox"/>
HEDAH, T.G.	<input type="checkbox"/>	<input type="checkbox"/>
HILBIG, J.G.	<input type="checkbox"/>	<input type="checkbox"/>
IDEKER, E.H.	<input type="checkbox"/>	<input type="checkbox"/>
KIRBY, W.A.	<input type="checkbox"/>	<input type="checkbox"/>
KUESTER, A.W.	<input type="checkbox"/>	<input type="checkbox"/>
LEE, E.M.	<input type="checkbox"/>	<input type="checkbox"/>
MANN, H.P.	<input type="checkbox"/>	<input type="checkbox"/>
MARX, G.E.	<input type="checkbox"/>	<input type="checkbox"/>
McKENNA, F.G.	<input type="checkbox"/>	<input type="checkbox"/>
MORGAN, R.V.	<input type="checkbox"/>	<input type="checkbox"/>
PIZZUTO, V.M.	<input type="checkbox"/>	<input type="checkbox"/>
POTTER, G.L.	<input type="checkbox"/>	<input type="checkbox"/>
RILEY, J.H.	<input type="checkbox"/>	<input type="checkbox"/>
SANDLIN, N.B.	<input type="checkbox"/>	<input type="checkbox"/>
SATTERWHITE, D.G.	<input type="checkbox"/>	<input type="checkbox"/>
SCHUBERT, A.L.	<input type="checkbox"/>	<input type="checkbox"/>
SETLOCK, G.H.	<input type="checkbox"/>	<input type="checkbox"/>
SHEPLER, R.L.	<input type="checkbox"/>	<input type="checkbox"/>
SULLIVAN, M.T.	<input type="checkbox"/>	<input type="checkbox"/>
SWANSON, E.R.	<input type="checkbox"/>	<input type="checkbox"/>
WILKINSON, R.B.	<input type="checkbox"/>	<input type="checkbox"/>
WILSON, J.M.	<input type="checkbox"/>	<input type="checkbox"/>
ZANE, J.O.	<input type="checkbox"/>	<input type="checkbox"/>

Ref: 8HWM-FF

Mr. Richard J. Schassburger
U.S. Department of Energy
Rocky Flats Office, Building 116
P.O. Box 928
Golden, CO 80402-0928

EG&G
ROCKY FLATS PLANT
CORRESPONDENCE CONTROL

Re: OU 2 Phase II RFI/RI Report
Extension Request

Dear Mr. Schassburger:

The Environmental Protection Agency (EPA) and the Colorado Department of Health, Hazardous Materials and Waste Management Division (CDH), have reviewed your nine month extension request for submittal of the draft and final Phase II RFI/RI Reports for Operable Unit 2 - the 903 Pad, Mound and East Trenches (OU 2), dated February 26, 1993. The information supplied within the extension request does not speak directly to DOE's non-implementation of the approved Phase II RFI/RI Bedrock Workplan. This is the primary reason why DOE has failed to submit the draft Phase II RFI/RI Report for OU 2 on March 12, 1993, and believes it will fail to meet the August 9, 1993, milestone date for submittal of the final Phase II RFI/RI Report for OU 2. Based on the information contained in your letter, the EPA and CDH do not believe you have justified the delay under the terms of the Interagency Agreement (IAG) and therefore hereby deny this request.

In addition, by failing to submit the draft Phase II RFI/RI Report for OU 2 on March 12, 1993, DOE has violated the terms of the IAG. In accordance with the terms of the IAG, penalties will begin to accrue on the date DOE receives this notice of violation. As agreed in the IAG, a stipulated penalty may be assessed in an amount not to exceed \$5,000 for the first week and \$10,000 for each additional week for which a failure occurs. Also in accordance with the terms of the IAG, DOE shall have 15 days after receipt of this notice of violation to invoke dispute resolution on the question of whether the failure did in fact occur.

If you have any questions regarding these matters, please call Bill Fraser (EPA) at 294-1081 for Joe Schieffelin (CDH) at 692-3356.

Sincerely,

Martin Hestmark

Martin Hestmark, Manager
Rocky Flats Project
EPA, Region VIII

Gary W. Baughman

Gary W. Baughman, Chief
Facilities Section
Hazardous Waste Control Program

cc: James K. Hartman, DOE
Daniel S. Miller, AGO
Robert Benedetti, EG&G

CORRES CONTROL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TRAFFIC	<input type="checkbox"/>	<input type="checkbox"/>

Reviewed for Addressee
Corres. Control RFP

3-18-93 *Cin*
DATE BY

Ref Ltr. #